

Memorandum



Date: July 1, 2013

To: Chairperson and Members
Planning Advisory Board

From: Jorge M. Fernandez, Jr.
Program Coordinator, Office of Management and Budget

Subject: Staff Report for Proposed Boundary Change to the Village of El Portal

Background

On February 20, 2013 the Village of El Portal (Village) submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the Miami-Dade County Board of County Commissioners (Board) at the March 5, 2013 Board meeting and was forwarded to the Office of Management and Budget (OMB) for review and further processing, as required by the Miami-Dade County Code (Code).

Analysis

The Village of El Portal is proposing to annex two (2) areas adjacent to the Village's boundaries. The areas, identified in the attached map as Area A and Area B respectively, are deemed existing enclaves as defined in Chapter 20 of the Miami-Dade County Code.

The proposed annexation area is approximately 22 acres or 0.03 square miles of the Unincorporated Municipal Service Area (UMSA).

Area A is generally bounded on the north by N.W. 91st Street, on the south by N.W. 87 Street, on the east by NW 2nd Avenue, and on the west by N.W. 3rd Avenue. This Area is fully developed and includes only Horace Mann Middle School, a Miami-Dade County Public School. Area A is an enclave surrounded by the Village of El Portal.

Area B is generally bounded on the north by N.E. 83 Court, on the south by N.E. 83 Street, on the east by Biscayne Boulevard and on the west by the Little River Canal. This Area consists of mostly vacant land with a zoning designation of Hotels and Motels and Multi-Family.

The annexation area is within County Commission District 3.

Pursuant to Section 20-6 of the Code, the Office of Management and Budget submits this report for your review and recommendation.

Police

According to the application, the Village of El Portal already provides police services to the proposed annexation Area A, by virtue of being an enclave within the Village's boundaries. Currently the Village employs seven (7) full time sworn police officers and sixteen (16) part-time sworn police officers. Also, the Miami-Dade Public School Police provides additional police service at the Horace Mann Middle School.

The Village's Police Department is recommending increasing the part-time police budget to \$15,000 in order to increase patrol hours of part-time officers to focus on calls in Area B, which currently consists mainly of vacant property.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police calls within the proposed areas for calendar year 2012.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2012	Total Calls	79	8	8	63

Year	Part I Crimes	Part II Crimes	Total
2012	6	4	10

Part I Crimes are Uniform Crime Report (UCR) Part I Offenses are those crimes reported to MDPD in the following classifications; murder and non-negligent manslaughter, robbery, aggravated assault, forcible rape, motor vehicle theft, larceny, burglary and arson. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigations (FBI) through the UCR Program. The classification for the offense is based on a police investigation, as opposed to determinations made by a court, medical examiner, jury, or other judicial body. Part II Crimes are all crimes not covered under Part I Crimes.

Fire and Rescue

The proposed annexation will not impact MDRF service delivery and/or response times. Currently, the area is served as part of UMSA. If the annexation is approved, fire protection and emergency medical services will continue to be provided by Miami-Dade County and will continue to be served by the same station and resources within the Fire District in an efficient and effective manner.

Existing Stations: The annexation area is presently served by Station 30 located at 9500 NW 2 Avenue in the Village of Miami Shores. Station 30 is equipped with a rescue and an engine which serves the annexation area 24 hours a day, seven days a week. The station is located less than one (1) mile from the annexation area.

Planned Stations: In an effort to minimize impact to existing service and maintain adequate travel time to incidents, the Miami-Dade Fire Rescue Department (MDFR) owns a parcel of land at 1275 NW 79 Street that will serve to construct Station 67. The construction of the fire station is undetermined at this time.

Service Delivery – Last Three Calendar Years:

Area A

	2010	2011	2012
Life Threatening Emergencies			
Number of Alarms	9	12	25
Average Response Time	7:22	5:25	6:28
Structure Fires			
Number of Alarms		1	
Average Response Time		5:04	

Area B

	2010	2011	2012
Life Threatening Emergencies			
Number of Alarms	1		2
Average Response Time	6:29		6:02
Structure Fires			
Number of Alarms			
Average Response Time			

Based on data retrieved during the last three calendar years, travel time to the vicinity of the proposed annexation area complies with the performance objectives of national industry. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents.

As a condition of annexation, the Village through an interlocal agreement with the County shall agree that the proposed annexation areas remain within the Miami-Dade Fire Rescue District in perpetuity.

Water and Sewer

The proposed annexation areas are within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area and it will remain within the service area should the annexation be approved. Requests for future water and sewer service in the annexation areas shall be determined at the time the proposed development occurs within the Village based on the adequacy and capacity of the County's water and sewer systems at the time of the proposed development.

There are no General Obligation Bond (GOB) projects under construction within the proposed annexation areas. The Village's proposed annexation will not have an impact on the Miami-Dade County Water and Sewer Department's (WASD) ability to provide services to the remaining unincorporated area. There are no WASD Facilities of Countywide Significance in the proposed annexation areas.

Public Works and Waste Management (PWWM)

According to the application, "the Village provides the collection of residential and commercial solid waste via private haulers. The waste is collected and transferred to either the Northeast Transfer Station or the Resources Recovery Facility. Miami-Dade County is responsible for solid waste disposal."

In addition, the application states the Village will be responsible for hurricane preparedness and clean up for the proposed annexation areas.

Waste Collection, Disposal and Recycling

The Village of El Portal has entered into an interlocal agreement with the PWWM to collect and process their recyclable materials.

The Village does not have an interlocal agreement with the County regarding long-term waste disposal. Sections 20-8.4 and 15-13 of the Code require that the areas proposed for annexation

remain part of the County's waste collection service area (WCSA). The County will continue to provide service to the existing residential customers and new residents as development occurs. If the Village enters into a twenty (20) year waste disposal commitment with the County, PWWM could opt to delegate residential waste collection responsibilities to the Village for a concurrent period of twenty years (provided that the cumulative impact of annexations that have taken place since February 16, 1996 do not significantly impact the PWWM's ability to meet debt coverage requirements or to hold down the cost of collection).

Effect on Ability to Provide Services to UMSA

There are approximately three residential units in the annexation area, currently served by the County for garbage and recycling collection. These units will continue to be served by PWWM.

Street Maintenance

According to the application, "the annexation areas will be subject to the traffic, stormwater, and roadway performance standards, which include the level of service standard of the South Florida Building code. Additionally all public roads will be maintained by the PWWM, except for State roads which are maintained by the Florida Department of Transportation."

The annexation request is not expected to have any impacts on the County's ability to provide services to the remaining unincorporated area in the vicinity. Conditions regarding long-term collection and disposal of waste may be revised if the Village elects to enter into a twenty (20) year interlocal agreement, per County Code Sections 20-8.4 and 15-13. The County will continue to provide maintenance services to County designated roads.

Area A:

According to the survey provided for Area A, the annexation area does not include paved roads. Therefore, there are no lane miles in Area A. In terms of maintenance, NW 2 Avenue from NW 87 Street to NW 91 Street is currently a County maintained road in El Portal, and the County will retain jurisdiction.

Area B:

According to the survey provided for Area B, there are approximately 0.23 lane miles in the annexation Area B. The County is not proposing to keep any of the roads in Area B. Therefore, the 0.23 lane miles would be transferred to the Village through an interlocal agreement.

Department of Regulatory and Economic Resources (RER)

A description of the services provided by the Division of Environmental Resource Management (DERM) within RER, information relating to Chapter 24 of the Code of Miami-Dade County, Florida (Code) and assessment of environmental issues with the proposed annexation are listed below. Services provided by this department in the proposed annexation area include but are not limited to:

Review and approval or disapproval of development orders

This includes the following:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)

- **Municipal Occupational Licenses**

The department reviews applications for consistency with the requirements of the Code. The review includes but is not limited to the following:

- Protection of public potable water supply wellfields
- Potable water supply
- Liquid waste disposal
- Stormwater management and disposal
- Tree resources preservation and protection
- Wetland preservation and protection
- Coastal resources preservation and protection
- Air quality requirements
- Flood protection

Operating Permits

Section 24-18 of the Code authorizes DERM to require and issue permits for any facility that could be a source of pollution. This includes a wide variety of nonresidential activities or facilities and some ancillary operations to residential land uses.

Pollution Prevention and Educational Programs

The Office of Environmental Education and Communication (EECO) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO₂ reduction and environmental education in general. You may contact this office at 305-372-6784 for additional information regarding these services.

Enforcement Activities

These include regular inspections of permitted facilities as well as of any potential source of pollution, responses to complaints and general enforcement operations.

DERM's regulatory activities are enforceable under County Code in both incorporated and unincorporated areas, DERM currently provides the above services to the subject area. Accordingly, annexation of the parcels will not affect the ability to provide adequate levels of service to the areas being annexed or to the areas adjacent to the parcels being annexed.

The following information is based on the Village of El Portal Annexation Proposal prepared by the Village of El Portal. Accordingly, the Village has no plans to change the existing land use mix, and will continue to provide services to the area at their existing levels.

Water Supply and Distribution

Area A:

Area A proposed for annexation is located within the Miami-Dade Water and Sewer Department (WASD) franchised service area. There are various water distribution mains abutting the property, including 2-inch, 8-inch and 16-inch diameter pipes. There are also two 6-inch and 8-inch water service laterals located in the property.

The source of water for this area is the Hialeah Preston Water Treatment Plant, which is owned and operated by WASD, and has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.



Area B:

Proposed Area B is located within the WASD franchised service area. There is a 2-inch water main running along NE 4th Place and a 4-inch water main along NE 83rd Street.

The source of water for this area is the Hialeah Preston Water Treatment Plant, which is owned and operated by WASD, and has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.



Facilities for the Collection and Treatment of Sewage

Area A:

The proposed Area A is located within the WASD franchised service area. A 12-inch force main abuts a portion of the property along NW 3th Avenue and an 8-inch force main extends into the property. The site is served by a private pump station (PSO-964) which is currently active.

The sewage flow generated is directed from Private Pump Station 99-964 to the North District Wastewater Treatment Plant. The Central District Wastewater Treatment Plant is owned and operated by WASD. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Area B:

The proposed Area B is located within the WASD franchised service area. An 8-inch gravity main runs along NE 83rd Street, abutting a portion of the subject area.

The 8-inch gravity main directs the sewage flow to Pump Station 30-0049, then to 30-0002 and finally to the Central District Wastewater Treatment Plant. The sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by WASD. The pump stations are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

In reference to the section "Facilities for the Collection and Treatment of Sewage" in page 25 of El Portal annexation application, it is necessary to make the following observations:

1. The referenced Little Farm mobile home park is not part of the area proposed for annexation in the application.
2. The requirements of the Code for usage septic tank and drainfield for a non-residential use (Section 24-43-1(4)(b)(i)) stipulate a maximum sewage loading of 1,500 gallons per day (GPD) per acre not 1,500 GPD.
3. Additionally, any future development will be subject to the feasible distance requirements as defined by the Code.

Drainage and Flood Protection

In proposed Annexation Area A, any new parking and driveways must have a finished grade of +5.0 feet and +5.5 feet National Geodetic Vertical Datum (NGVD), in order to meet the level of service for flood protection and the County Flood Criteria requirements. In addition, the level of service for flood protection for buildings is +6.0 feet NGVD or 8 inches above crown of road for residential buildings or 4 inches above the crown of road for non-residential buildings.

Any new development in Annexation Area B shall have a minimum finish grade of +5.0 feet NGVD to meet the minimum County Flood Criteria. In addition, the level of service for flood protection of new buildings is at minimum elevation of +8.0 feet NGVD. Additionally, Area B is located adjacent to the Little River Canal. Any drainage or discharge into Little River Canal requires a Class II permit from DERM prior to the issuance of building permits by the Village.

Stormwater Utility (SWU) Program and Fees

Currently, improved properties in the proposed annexation area are paying a stormwater utility fee to the County. El Portal is part of the Miami-Dade County Stormwater Utility (Utility). Should the annexation be approved, these accounts would remain in the Utility. Through an existing Interlocal Agreement, the fees collected in the Utility are used to administer stormwater management programs within El Portal.

The County recommends that El Portal consider formally exempting from the Miami-Dade County Stormwater Utility.

Drainage Repair and Maintenance

A review of the County's Water Control Plan shows that no County secondary canals provide a drainage service to the proposed annexation area.

Drainage Permitting

All new development requires that drainage systems be provided as part of the project. The objective of these systems is to reduce pollution in stormwater runoff, and reduce flooding impacts to area residents.

DERM issues the Surface Water Management Standard Permit (SWMSP) on behalf of the South Florida Water Management District. Jurisdiction to require a SWMSP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is drainage in County rights-of-way.

The above requirements and authority would continue to exist in the annexed area, as it currently does in El Portal.

National Flood Insurance Program (NFIP)

The NFIP is a program that the Federal Emergency Management Agency (FEMA) agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards.

In 1993 FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. Therefore, when a municipality is incorporated, FEMA requires the municipality to apply to become an NFIP community within six months of incorporation. Any annexation area would be added to the existing municipality.

El Portal is required to report to FEMA, as part of its FEMA Biennial Report, any changes to its Municipal boundaries.

Stormwater Management Master Plan

Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained.

Although the County cannot map and propose drainage projects in incorporated areas, County roads lie within incorporated boundaries. In these areas, the County will model the basins, using the best available data provided by the municipalities. The quality of the modeling for these County roads may be limited, depending on the information provided by the municipalities. County engineers will request from El Portal staff any data that would assist in modeling these areas. Cooperation between El Portal and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as the periodic updates of the Flood Insurance Rate Maps (FIRM) that benefit the El Portal as well as County residents.

National Pollutant Discharge Elimination System (NPDES)

NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has now been delegated to the State of Florida. Municipalities must apply to and receive from the state a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs.

Miami-Dade County's NPDES permit is a joint permit with 32 co-permittees (including municipalities) with Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit cost-share the monitoring costs.

A review of permit records reveals that El Portal is currently a co-permittee in the County's joint permit. Therefore, the presence of any outfalls within the annexed area would change El Portal cost-share percentage contribution. There is also a permit fee that El Portal pays annually to the State of Florida for the NPDES permit. The amount of this permit fee may increase if the annexation is approved.

Transfer of Roads

Certain County roads located within the proposed annexation area may need to be transferred to El Portal. This can be accomplished through an Interlocal Agreement. This Agreement would outline the subject roads, various road-related services, and the responsibilities of El Portal and the County for these services. Because County Stormwater Utility funds are used to maintain drainage systems in the County rights-of-way and roads, during preparation of the Agreement, the Stormwater Utility Planning Division must be consulted for its comments and approval.

Pollution Control

There are no records of current contamination assessment/remediation or historical records of contamination assessment/remediation issues regarding non-permitted sites within the proposed annexation area.

Coastal and Wetlands Resources

Proposed annexation Area B lies adjacent to the C-7 Canal (the Little River Canal) along its west shoreline. Potential adverse impacts to the Federally Endangered West Indian Manatee may result from construction projects in Area B as manatees are known to frequent waters of the Little River Canal. Manatees have been injured or killed by entrapment in existing culverts

as well as roadway/culvert projects under construction within Miami-Dade County. The Miami-Dade County Manatee Protection Plan requires that all new or replacement culverts and outfalls accessible to manatees be designed to prevent entrapment of or injury to these animals. Those outfalls which are greater than 7 inches and less than 60 inches in diameter shall be covered with grates or screens with spaces less than 7 inches wide in order to prevent entrapment. New culverts installed in areas not previously accessible to manatees shall be covered with flap gates or other devices designed so as not to cause injury to manatees, and to prevent the animals from entering the outfall including during construction.

The State of Florida Fish and Wildlife Conservation Commission (FWC) requires that all work proposed in waters known to host manatees comply with FWC's Standard Manatee Conditions for In-Water Work. DERM recommends strict adherence to these conditions.

Construction projects along Area B should employ turbidity barriers and means of containment so materials from construction projects do not enter surface waters of the Little River Canal. Any containment systems to be installed in waters of these canals should be designed to account for tidal and wind influence.

There are no freshwater wetlands as defined by Section 24-5 of the Code within Areas A and B; however pursuant to Section 24-48 of the Code, a Class I Permit is required for any work within coastal wetlands or for any work to cut, trim or alter mangroves anywhere in Miami-Dade County. Prior to commencing any such work, please contact the Coastal and Wetlands Resources Section at (305) 372-6575 for information about obtaining the required Class I Permit.

Permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for construction projects in proposed Annexation Area B. It is the applicant's responsibility to contact these agencies.

Applicant is advised to contact the Coastal and Wetlands Resources Section of DERM (305-372-6575) if further information is required.

Tree Preservation

A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Tree Removal Permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. Annexation areas A and B may contain specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires that specimen-sized trees be preserved whenever reasonably possible. Please contact the Tree Permitting Program at 305-372-6600 for additional information regarding permitting procedures.

Air Quality

This application does not propose changes to zoning, or Comprehensive Development Master Plan land use designation areas for the two areas in question. It is mainly a change of jurisdictional authority from the Miami-Dade County to the Village of El Portal. Therefore, no inconsistency with applicable federal, state and local air quality regulatory criteria is foreseen in this annexation request.

However, according to the Florida Department of Environmental Protection (FDEP) all Level of Service (LOS) "E" or "F" intersections impacted by 5% or more projected traffic and all surface parking areas of 1,500 vehicle trips per hour, or parking garages of 750 vehicle trips per hour, are required to be considered for air quality modeling. After traffic is found sufficient, an air quality methodology meeting is to be held with RER and the FDEP to determine which intersections and parking facilities need to be modeled, as well as the analysis parameters.

Any improvements that will effectively reduce congestion and travel time will facilitate a reduction in vehicular emissions and positively impact local air quality. Consequently, DERM requests that the village submit for review future studies on proposed development projects impact on local roads, wetlands, historic sites, etc.

The Transportation Element of the Miami-Dade County CDMP states that Miami-Dade County shall:

1. Promote mass transit alternatives to the personal automobile, such as rapid transit, fixed route bus and paratransit¹ services. (TE-1A.)
2. Seek to ensure that updated plans provide high quality intermodal connections at optimal transfer points. (TE-1C.)
3. Pursue and support transportation programs that will help to maintain or provide necessary improvement in air quality and which help conserve energy. (TC-6E.)

According to the annexation application, the Village will maintain the required level of service.

Finally, demolition, removal and/or renovation of any existing structure(s) and/or underground utilities, resulting from the implementation of any future development(s), will require asbestos survey from a Florida-licensed asbestos consultant, prior to any construction activities. If the results from the asbestos survey indicate the presence of friable asbestos materials in amounts exceeding those prescribed by applicable federal, state and local environmental regulatory criteria, then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor, pursuant to all applicable federal, state and local environmental regulatory requirements. To those effects, a NOTICE OF ASBESTOS RENOVATION or DEMOLITION form, along with the asbestos survey, must be filed with DERM for both the abatement/renovation work and the demolition activity, at least ten (10) working days prior to starting of any and all field work. Existing standard operating procedures, as well as applicable federal, state and local regulatory criteria, must be followed and implemented to minimize any potential release of adverse emissions, especially during project construction activities.

Parks, Recreation and Open Spaces

There are no Miami-Dade County parks within the proposed El Portal annexation area. The annexation has no impact on the Parks, Recreation and Open Spaces Department.

Annexation Guidelines:

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20-6 of the County Code.

¹ Refers to specially equipped vehicles for the transportation of persons with disabilities.

1. Does the annexation divide a historically recognized community?

The proposed annexation areas are not within and do not divide a Census Designated Place (CDP).

2. If approved, will the annexation result in an area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

Area A is zoned RU-3 (Four Unit Apartment House District) and is developed with educational facilities. The abutting lands within the Village are zoned RSF (Single-Family Residential District) and developed with single family residences. The existing and planned land uses on abutting land within the Village are compatible with the proposed annexation area.

Area B is zoned RU-4A (Hotel Apartment House District) and existing land uses in the annexation area include single and multi-family residences and vacant sites. The existing land use on the abutting land within the Village is a mobile home park zoned B-1 (Business District), which is compatible with the existing uses in the Village. The residential uses within Area B are also generally compatible with the planned land uses on abutting land within the Village.

3. Preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state, and local government agencies?

Area A:

8950 NW 2 Ave, Horace Mann Middle School, is currently not located in or immediately adjacent to the Miami-Dade County Enterprise Zone. It does not currently receive, nor is eligible for state enterprise zone incentives.

Area A is not eligible for Qualified Target Industry Program (QTI) and Brownfield state incentives, or the County's Targeted Jobs Incentive Fund (TJIF) program.

Area B:

Area B currently abuts the Miami-Dade County Central Enterprise Zone, but is not located in the enterprise zone and currently does not receive state enterprise zone incentives.

Parcels in Area B (30-3207-020-0180 & 30-3207-020-0190) are within ¼ mile of three contaminated sites, however the parcels are not currently designated as brownfields and do not receive brownfield incentives. There are designated Brownfield sites located in the Miami-Dade Central Enterprise Zone, within ¼ mile of Area B. Should Area B be developed in accordance to QTI and/or TJIF program criteria, the area would be eligible for the aforementioned benefits.

Village of El Portal

Based on the most recent census data, the Village does not meet the HUD Entitlement Grantee criteria of having a minimum population of 50,000. The Village will continue to

be eligible to apply to Miami-Dade County for Community Development Block Grant (CDBG) funds subject to compliance with all program rules.

Currently, the Village is not in the Enterprise Zone.

4. Will the annexation impact public safety response times?

Fire and Rescue: The Village is within the Miami-Dade County Fire Rescue District. If the annexation is approved, it will not impact MDRF service delivery and/or response time. If the annexation is approved, this area would be served by the same station and resources within the Fire District.

Police: In the event the annexation application is successful, the total service area within UMSA will be minimally reduced. Conversely, departmental resources may need to be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon the UMSA is yet to be determined.

5. Will the annexation introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

The Miami-Dade County Public Works and Waste Management Department does not anticipate barriers to municipal traffic circulation or traffic related impacts with this annexation. However, the Department recommends input from the Miami-Dade County Public School Board, since the Horace Mann Middle School is located near the NW 2 Avenue and NW 89 Street intersection, within the requested annexation Area A.

6. Will the annexation area be served by the same public service franchises, such as cable and communications services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s)?

The proposed annexation will continue to be served by the same cable television and telecommunication operators as before. Pursuant to State law effective July 1, 2007, Miami-Dade County no longer has the ability license new cable television companies and enforcement activities will be limited to rights-of-way issues only. Therefore the proposed annexation will not have an impact on our ability to enforce rights-of-way issues as per the Code. A list of new cable franchise certificates that may affect Miami-Dade County's rights-of-way can be found at the following site: <http://sunbiz.org/scripts/cable.exe>.

Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's rights-of-way. Therefore, companies that have facilities within the proposed annexation area will no longer be required to register with the County. Municipalities are responsible for managing their public thoroughfares.

Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

7. Has the area has been identified by the Federal Government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary needs that may arise?

The Village has indicated its future responsibility for hurricane preparedness and subsequent clean up for the proposed annexation areas.

A portion of Area A and the entirety of Area B are located within the federally designated 100-year floodplain. These areas will flood under sustained rains and property owners within them are required to obtain flood insurance.

The proposed annexation areas are not located within any County designated hurricane evacuation zone and residents of the areas are not obligated to evacuate when hurricane warnings are issued.

8. Will the annexation area be connected to municipal government offices and commercial centers by public transportation?

The proposed annexation areas are connected by public transportation to municipal government offices and commercial centers via existing Metrobus service located within a half mile of the proposed annexation areas.

The following Metrobus routes are located within walking distance (half mile or less) of proposed annexation areas:

Area A: Route 2, 33, 95 (Golden Glades Express), 95 (Dade-Broward Express), and 202 (Little Haiti Connection).

Area B: Route 2, 3, 9, 10, 16, 33, 79, 112 (L), 202 (Little Haiti Connection).

9. To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality?

The proposed annexation areas are contained within the same school district boundaries as the adjoining areas of unincorporated Miami-Dade County and the Village of El Portal. The schools serving the proposed annexation areas are: Phyllis R. Miller Elementary, Hubert O. Sibley K-8 Center, Horace Mann Middle, and Miami Edison Senior High.

The existing land use and current uses on Area A do not contain residential uses. Therefore, Area A does not have an impact on public school facilities.

The following analysis addresses the factors required for consideration by the Board of County Commissioners and the Planning Advisory Board pursuant to Chapter 20-7 of the County Code.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

- a) Does the area divide a Census Designated Place, (an officially or historically recognized traditional community)?

The proposed annexation areas are not within and do not divide a Census Designated Place.

- b) Have any adjacent unincorporated areas with a majority of ethnic minority or lower income residents petitioned to be in the annexation area?

No adjacent unincorporated areas have a majority of ethnic minority or lower income residents that have petitioned to be in the annexation area.

- c) Is the area or does it create an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County?

The proposed annexation areas are unincorporated enclaves. Area A is surrounded by the Village of El Portal on 100 percent of its boundaries, while Area B is surrounded by the Village of El Portal and the City of Miami.

- d) Are the boundaries logical, consisting of natural, built, or existing features or Village limits?

The boundaries of the proposed annexation areas are mostly logical and generally follow City limits or rights-of-way.

2. The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

The taxable value within the annexation area is \$2,665,782. At the current Village of El Portal millage rate (8.3 mills), the ad valorem revenues attributable to the annexation area would be \$21,020. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$4,883 as noted in the table below. The expected tax increase to the entire annexation area would be an additional 6.3717 mills and \$16,136. It is important to note that Area A is a school with no taxable value, and there are 13 folios in Area B, and the average property owner would pay an additional \$1,241 if this annexation is approved.

Existing and Projected Property Tax Cost		
Village of El Portal		
FY 2012-13		
	Millage Rate	Millage x Taxable Value
El Portal		
Municipal Millage	8.3000	\$21,020
Unincorporated Area		
UMSA Millage	1.9283	\$4,883
Increase	6.3717	\$16,136

- Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan.

The proposed annexation areas are located inside the 2015 UDB of the Adopted 2015 and 2025 Land Use Plan (LUP) map of the Miami-Dade County Comprehensive Development Master Plan.

- What is the impact of the proposal on the revenue base of the unincorporated area and on the ability of the County to efficiently and effectively provide services to the adjacent remaining unincorporated areas?

The total taxable value of the annexation area is \$2,665,782. The area generates an estimated \$12,085 in revenue. The County spends an estimated \$39,018 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$26,933 (Attachment B).

Pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County retains all franchise fees and utility tax revenues of the area upon annexation. For the proposed annexation, franchise fees of an estimated \$2,214 and utility taxes of an estimated \$4,454 will be retained by the County.

- What is the fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

There are 70 residents in the annexation area. The per capita taxable value is \$38,082.

- Is the annexation consistent with the Land Use Plan of the County's CDMP?

The proposed annexation areas are isolated enclaves of unincorporated lands. Area A comprises land developed with institutional uses (the Academy for Community Education and the Horace Mann Middle School), and is completely surrounded by single family residences that are within the Village of El Portal. Area B comprises residences

and vacant land that abut lands within the Village to the north and the City of Miami to the south, east and west.

The property within Area A is designated "Low Density Residential" (2.5 to 6.0 dwelling units per gross acre), where public schools are an allowed institutional use. The properties within Area B are designated "Medium-High Density Residential" (25 to 60 dwelling units per gross acre).

The Application for Annexation (pg. 21) states "...The Village envisions maintaining the land use mix that currently exists." The Village's Future Land Use map shows Area A as Educational and designates the lands abutting this proposed annexation area as Single Family Residential. The land abutting Area B is designated Office Park/Light Retail on the Village's Future Land Use map. The annexation would be consistent with the CDMP if the Village re-designates the annexation areas to land use designations similar to the current CDMP LUP map designations for the areas.

Demographic Profile of the Areas

As shown on the table below, the estimated 2010 Census population of the proposed annexation areas is 70, while the Village of El Portal's population is 2,325. Area A has zero population, therefore all the population is located in Area B. Table 1 also shows that approximately 69 percent of the population within the proposed annexation areas is Black, not Hispanic, while approximately 47 percent of the population within the municipal boundaries is of Black, not Hispanic, origin.

Table 1
Village of El Portal Proposed Annexation Areas A and B
Demographic and Economic Characteristics
Village of El Portal and Miami-Dade County, 2010

	Study Area Estimates	City of El Portal	Miami-Dade
<u>Population Characteristics, 2010</u>	70	2,325	2,496,435
Percent White, Not Hispanic	8.5%	19.0%	15.4%
Percent Black, Not Hispanic	68.6%	47.6%	17.1%
Percent Other, Not Hispanic	0.0%	4.9%	2.5%
Percent Hispanic	22.9%	28.6%	65.0%
<u>Income*</u>			
Median Household Income	\$ 57,279	\$ 63,914	\$ 43,957
Per-capita Income	\$ 32,476	\$ 32,540	\$ 23,348
<u>Housing</u>			
Total Housing Units	56	939	989,435

Source: U.S. Census Bureau, Census 2010, Summary File 1, Table P2; ACS 2007-2011, Tables B19013 and B19301; and Miami-Dade County, Regulatory and Economic Resources Department, Planning Research Section, April 2013.

* Estimates for median household income and per-capita income are based on the U.S. Census Block Group that the proposed annexation areas are contained within.

Development Profile of the Areas

Shown in the table below is the 2013 land use profile for the proposed annexation area. Approximately 74 percent of the 22 acres in the proposed annexation area is in institutional use; 13 percent is undeveloped; and 11 percent in residential use.

In comparison, the table below also shows that approximately 74 percent of the proposed annexation area is in institutional use, while one percent of the land within the Village of El Portal is in institutional use. Approximately 13 percent of the land within the proposed annexation areas is undeveloped, while less than one percent of the Village's land is undeveloped. Within the proposed annexation areas, approximately 11 percent of the land is in residential use, while 69 percent of the land within the Village is in that use. In addition, two percent of the proposed annexation areas are in transportation, communication and utilities use, while 28 percent of the land within the Village is in transportation, communication and utilities use.

**Village of El Portal Proposed Annexation Areas A and B
2013 Existing Land Use**

Land Use	Annexation Areas (Acres)	Annexation Areas (Percent of Total)	Village of El Portal (Acres)	Village of El Portal (Percent of Total)	Miami- Dade County (Acres)	Miami- Dade County (Percent of Total)
Residential	2.4	10.8	167.1	68.5	111,060.5	8.8
Commercial & Office & Transient						
Residential	0.1	0.3	2.5	1.0	14,486.5	1.1
Industrial	0.0	0.0	1.2	0.5	17,792.1	1.4
Institutional	16.5	74.1	2.9	1.2	14,561.8	1.1
Parks/Recreation/Conservation	0.0	0.0	0.0	0.0	833,384.7	65.8
Transportation, Communication, Utilities	0.5	2.0	68.5	28.1	87,403.9	6.9
Agriculture	0.0	0.0	0.0	0.0	63,532.4	5.0
Undeveloped	2.9	12.8	1.8	0.7	87,150.9	6.9
Inland Waters	0.0	0.0	0.0	0.0	36,937.2	2.9
Total:	22.3	100.0	243.9	100.0	1,266,309.9	100.0

Source: Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Research Section - April 18, 2013

Summary of Issues for Consideration

1. The proposed annexation areas are isolated enclaves of unincorporated lands.
2. The area should remain within the Miami-Dade Fire Rescue District in perpetuity.
3. The County recommends that El Portal consider formally exempting from the Miami-Dade County Stormwater Utility.
4. The County will retain jurisdiction of NW 2 Avenue from NW 87 Street to NW 91 Street, the remaining 0.23 lane miles in the annexation Area B will be transferred to the Village through an interlocal agreement.
5. County records indicate the following zoning covenants on properties within the proposed annexation areas:
 - Folio No. 30-3101-012-0010: Resolution No. 4267 restricting the use of the property to school purposes
 - Folio No. 30-3207-020-0130: Unity of Title
 - Folio No. 30-3207-020-0120: Agreement/Covenant
 - Folio No. 30-3207-020-0200: Declaration of Restrictions

Attachments:

- A. Map of proposed annexation
- B. Estimated Impact on UMSA Budget Statement

c: Jennifer Moon, Director, Office of Management and Budget

Estimated Impact on UMSA Budget

Based on FY 12-13 Budget	Annexation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	\$5,000
Franchise Fees	County Retains Revenues	
Sales Tax	Allocation based on \$58.94 per person	\$4,578
Utility Taxes	County Retains Revenues	
Communications Tax	Allocated based on tax roll/population	\$2,234.72
Alcoholic Beverage License	Allocation based on \$0.23 per person	\$16
Occupational License	Allocation based on \$1.80 per person	\$126
Interest	Allocation based on .16% of total revenue	\$19
Miscellaneous Revenues	Allocation based on \$1.55 per person	\$110
Revenue to UMSA		\$12,085
Cost of Providing UMSA Services		
Police Department		\$30,505
UMSA Police Budget (without specialized)		
Park and Recreation Dept	Based on cost of parks	\$0
Public Works		
	Centerline Miles Centerline miles times cost per lane mile	\$429
Planning, Code Compliance and others	Direct cost times 14.1%	\$4,362
QNIP (pay-as you-go)	Utility Taxes as a % of debt service 16%	\$0
Policy Formulation/Internal Support	Direct cost times 12%	\$3,721
Cost of Providing UMSA Services		\$39,018
Net to UMSA		(\$26,933)
1. Does not include gas tax funded projects 2. Does not include canal maintenance revenues or expenses 3. Does not include proprietary activities: Building, Zoning, Solid Waste 4. Does not include Fire and Library Districts 5. Revenues are based on allocations not actuals Disclaimer: These calculations do not represent a projected or suggested municipal budget. They indicate only the fiscal impact of this area's incorporation on the remaining UMSA.		
2012 Taxable Property Rolls (Area)		\$2,665,782
2010 Area Census Population		70
2011 UMSA Population		1,103,125
2012-13 UMSA Millage		1.9283
Patrollable Sq. Miles - UMSA (post Cutler Bay)		207.90
Total Calls For Service - UMSA 2012		615,684
Part 1 Crimes - UMSA 2012		51,222
Part 2 Crimes - UMSA 2012		22,889
Patrollable Sq. Miles - Study Area		0.034
Total Calls for Service - Study Area		79
Part 1 Crimes - Study Area		6
Part 2 Crimes - Study Area		4
Cost per Centerline Mile		\$1,866
Number of Centerline Miles		0.23
Per Capita Taxable Value		\$38,082.60